

## 50TH REGULAR SESSION

"Against the amendment to Section 28, Article III of the Constitution of Texas providing for a Board for apportionment of the state into senatorial districts and representative districts in the event the Legislature fails to make such apportionment."

Each voter at such election shall mark out one of such clauses on the ballot, leaving the clause expressing his vote on the proposed amendment.

Sec. 3. The Governor of the State of Texas shall issue the necessary proclamation for said election, and shall have the same published as required by the Constitution and laws of this state.

Sec. 4. The sum of Ten Thousand (\$10,000.00) Dollars or so much thereof as may be necessary, is hereby appropriated out of any funds in the treasury of this state not otherwise appropriated, to pay the expenses of such publication and election.

Passed the Senate, May 29, 1947: Yeas 23, Nays 7; passed the House, June 4, 1947: Yeas 100, Nays 36.

Approved June 17, 1947.

To be voted at election to be held Nov. 2, 1948.

## CONSTITUTIONAL AMENDMENT—ARTICLE VII, SECTIONS 17, 18

S. J. R. No. 4

A Joint Resolution proposing an amendment to Article VII of the Constitution of the State of Texas by the addition of two new sections to be known as Sections 17 and 18 providing a special fund for the payment of Confederate pensions and providing a method of payment for the construction and equipment of buildings and other permanent improvements at state institutions of higher learning; providing for a five-cent reduction in the maximum allowable state tax on property; providing for an election and the issuance of a proclamation therefor.

*Be it resolved by the Legislature of the State of Texas:*

Section 1. That Article 7 of the Constitution of the State of Texas be amended by adding thereto Sections 17 and 18 which shall read as follows:

"Sec. 17.

"In lieu of the state ad valorem tax on property of Seven (7¢) Cents on the One Hundred (\$100.00) Dollars valuation heretofore permitted to be levied by Section 51 of Article 3, as amended, there is hereby levied, in addition to all other taxes permitted by the Constitution of Texas, a state ad valorem tax on property of two (2¢) Cents on the One Hundred (\$100.00) Dollars valuation for the purpose of creating a special fund for the payment of pensions for services in the Confederate army and navy, frontier organizations, and the militia of the State of Texas, and for the widows of such soldiers serving in said armies, navies, organizations or militia; provided that the Legislature may reduce the tax rate hereinabove levied.

"Also, there is hereby levied, in addition to all other taxes permitted by the constitution of Texas, a state ad valorem tax on property of Five (5¢) Cents on the One Hundred (\$100.00) Dollars valuation for the purpose of creating a special fund for the purpose of acquiring, constructing and initially equipping buildings, or other permanent improvements at the designated institutions of higher learning; and the governing board of each of such institutions of higher learning is fully authorized to pledge all or any part of said funds allotted to such institution as hereinafter provided, to secure bonds or notes issued for the purpose of acquiring, constructing and initially equipping such buildings or other

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permanent improvements at said respective institutions. Such bonds or notes shall be issued in such amounts as may be determined by the governing boards of said respective institutions, shall bear interest not to exceed three (3%) per cent per annum and shall mature serially or otherwise not to exceed ten (10) years from the first (1st) day of January of each year in which such funds are allocated or re-allocated to said respective institutions; provided, the power to issue bonds or notes hereunder is expressly limited to a period of thirty (30) years from the date of the adoption of this amendment; and provided further, that the Five (5¢) Cent tax hereby levied shall expire finally upon payment of all bonds hereby authorized; provided further, that the state tax on property as heretofore permitted to be levied by Section 9 of Article VIII, as amended, exclusive of the tax necessary to pay the public debt, and of the taxes provided for the benefit of the public free schools, shall never exceed Thirty (30¢) Cents on the One Hundred (\$100.00) Dollars valuation. All bonds shall be examined and approved by the Attorney General of the State of Texas, and when so approved shall be incontestable; and all approved bonds shall be registered in the office of the Comptroller of Public Accounts of the State of Texas. Said bonds shall be sold only through competitive bids and shall never be sold for less than their par value and accrued interest.

"Funds raised from said Five (5¢) Cents tax levy for the ten (10) year period beginning January 1, 1948, are hereby allocated to the following institutions of higher learning, and in the following proportions to wit:

Institution	Per Cent of Total
John Tarleton Agricultural College .....	5.72107
North Texas Agricultural College .....	6.17028
Texas State College for Women .....	11.52992
Texas College of Arts and Industries .....	4.75551
College of Mines and Metallurgy .....	4.71936
Texas Technological College .....	16.54377
East Texas State Teachers College .....	8.10657
North Texas State Teachers College .....	12.64522
Sam Houston State Teachers College .....	5.55068
Southwest State Teachers College .....	6.78474
Stephen F. Austin State Teachers College .....	4.55414
Sul Ross State Teachers College .....	2.15315
West Texas State Teachers College .....	5.41643
Prairie View Agricultural and Mechanical College of Texas..	5.34416

"Not later than June 1st of the beginning year of each succeeding ten (10) year period, the Comptroller of Public Accounts of the State of Texas, based on the average long session full-time student enrollment for the preceding five (5) year period of time, shall re-allocate, to the above designated institutions of higher learning then in existence, all funds to be derived from said Five (5¢) Cent ad valorem tax for said ten (10) year period; and all such designated institutions of higher learning which participate in the allocation or re-allocation of such funds shall not thereafter receive any other state funds for the acquiring or constructing of buildings or other permanent improvements for which said Five (5¢) Cents ad valorem tax is herein provided, except in case of fire, flood, storm, or earthquake occurring at any such institution, in which case an appropriation in an amount sufficient to replace the loss so incurred may be made by the Legislature out of other state funds. This amendment shall be self-enacting. The State Comptroller of Public Accounts shall draw all necessary and proper warrants upon the State

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Treasury in order to carry out the purpose of this amendment; and the State Treasurer shall pay warrants so issued out of the special fund hereby created for said purpose."

"Sec. 18.

"For the purpose of constructing, equipping or acquiring buildings or other permanent improvements, the Board of Directors of the Agricultural and Mechanical College of Texas is hereby authorized to issue negotiable bonds or notes not to exceed a total amount of Five Million (\$5,000,000.00) Dollars, and the Board of Regents of The University of Texas is hereby authorized to issue negotiable bonds or notes not to exceed a total amount of Ten Million (\$10,000,000.00) Dollars. Any bonds or notes issued hereunder shall be payable solely out of the income from the Permanent University Fund. Bonds or notes so issued shall mature<sup>1</sup> serially or otherwise not more than twenty (20) years from their respective dates, and in no event later than twenty-five (25) years after the date of the adoption of this amendment. This amendment shall be self-enacting.

"Said Boards are severally authorized to pledge the whole or any part of the respective interests of the Agricultural and Mechanical College of Texas and of The University of Texas in the income from the Permanent University Fund, as such interests are now apportioned by Chapter 42 of the Acts of the Regular Session of the 42nd Legislature of the State of Texas, for the purpose of securing the payment of the principal and interest of such bonds or notes. The Permanent University Fund may be invested in such bonds or notes.

"All bonds or notes issued pursuant hereto shall be approved by the Attorney General of Texas and when so approved shall be incontestable."

Sec. 2. The foregoing Constitutional Amendment shall be submitted to a vote of the qualified electors of this state at a special election to be held throughout the state on the fourth Saturday in August, A. D. 1947, at which election all ballots shall have printed thereon:

"For the amendment to Article VII of the Constitution of the State of Texas, adding Sections 17 and 18 providing for the levying of a state ad valorem tax on property in lieu of the present state ad valorem tax of Seven (7¢) Cents for Confederate pensions in order to create special funds necessary for the payment of Confederate pensions and for the financing of the construction and equipment of buildings and other permanent improvements at state institutions of higher learning, in the amounts of two (2¢) Cents and Five (5¢) Cents respectively; providing for a Five Cent reduction of the maximum allowable state tax on property, making such tax not to exceed Thirty (30¢) Cents on the One Hundred (\$100.00) Dollars valuation; providing a method of payment for the construction and equipment of improvements and buildings at the Agricultural and Mechanical College of Texas and The University of Texas."

"Against the amendment to Article VII of the Constitution of the State of Texas, adding Sections 17 and 18 providing for the levying of a state ad valorem tax on property in lieu of the present state ad valorem tax of Seven (7¢) Cents for Confederate pensions in order to create special funds necessary for the payment of Confederate pensions and for the financing of the construction and equipment of buildings and other permanent improvements at state institutions of higher learning in the amounts of Two (2¢) Cents and Five (5¢) Cents respectively; providing for a Five (5¢) Cent reduction of the maximum allowable state tax on property, making such tax not to exceed Thirty (30¢) Cents on the One Hundred (\$100.00) Dollars valuation; providing a method of payment for the construction and equipment of improvements and buildings at

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the Agricultural and Mechanical College of Texas and The University of Texas."

Sec. 3. The Governor shall issue the necessary proclamation for said election and have the same published as required by the constitution and laws of this state.

Sec. 4. The sum of Ten Thousand (\$10,000.00) Dollars, or so much thereof as may be necessary, is hereby appropriated out of any funds in the treasury of the state, not otherwise appropriated, to pay the expenses of such publication and election.

Passed the Senate, February 17, 1947: Yeas 27, Nays 3; March 31, 1947, Senate refused to concur in House amendments and requested appointment of Conference Committee; April 10, 1947, request granted; April 17, 1947, Senate adopted Conference Report: Yeas 23, Nays 1; passed the House, March 19, 1947 with amendments: Yeas 100, Nays 38; April 17, 1947, House granted request of Senate for appointment of Conference Committee; April 22, 1947, House adopted Conference Report: Yeas 110, Nays 28.

Approved May 5, 1947.

Adopted at election held Aug. 23, 1947.